THE HON'BLE SRI JUSTICE

V.V.S.RAO

WRIT PETITION No.24048 of 2006

Dated: 18-11-2006

Between:

M.S. Narayan Rao and others.

..... PETITIONERS

AND

The Sub-Registrar, Hyderabad.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.24048 of 2006

ORDER:

The petitioners are allegedly owners of plot Nos.91, 85, 84 and 88 admeasuring 221 sq. yards, 256 sq. yards, 267 sq. yards and 334 sq. yards respectively in survey No.44/1 situated at Munuganoor Village, Hayathnagar Mandal in Ranga Reddy District, having purchased the same from one Smt. Jaladi Vimala under registered sale deeds dated
25-10-1984, 26-11-1984, 20-10-1984 and 29-11-1984 respectively. They sold the plots to one Kannemala Narendar Reddy executing sale deeds and presented the documents same for registration on 31-10-2006 before the respondent, who refused to accept the documents based on the circular instructions dated 06-02-2001 issued by the District Collector directing not to entertain registrations without obtaining 'No Objection Certificate' from the District Collector. Aggrieved by the same, the present writ petition is filed.

The learned counsel for the petitioners submits that the said Circular dated 06-02-2001 has already been invalidated by this Court and consequently the District Collector issued Memo dated 28-04-2006 recalling the Circular dated 06-02-2001. Therefore, there cannot be any objection for registration of the sale deeds presented by the petitioners.

Therefore, this writ petition is disposed of directing the respondent or any other Registering Officer to accept the documents presented by the petitioners and consider the same for registration. Be it noted, if for any reason, the documents presented are not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioners have any grievance, they may file appeal before the Appellate Authority under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioners can file a suit under Section 77 of the Act. No costs.

V.V.S.RAO, J

18th November, 2006
ghn